

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

WALTER JAMAR AVERY, #184 038

*

Plaintiff,

*

v.

* CIVIL ACTION NO. 3:05-CV-631-F

LEE COUNTY DETENTION FACILITY,
et al.,

*

*

Defendants.

ORDER

It has come to the court's attention that Plaintiff is no longer housed at the Lee County Detention Center which is the last known address the court has on file for Plaintiff. Specifically, Plaintiff's copy of a court order filed July 8, 2005 was returned to the court July 18, 2005 marked "Released, Attempted, Not Known, Return to Sender."

All parties have an affirmative duty to inform this court of any change of address during the pendency of their actions. This action may not proceed if the whereabouts of Plaintiff remain unknown.

Upon review of the pleadings filed in the instant matter, it is clear that the court file does not contain an alternate address for Plaintiff and that he has not provided this court with his current address. Accordingly, the court concludes that Plaintiff shall be granted an opportunity to show cause why his complaint should not be dismissed for his failure to keep the court informed of his current address.

Accordingly, it is

ORDERED that on or before July 28, 2005 Plaintiff shall SHOW CAUSE why his complaint should not be dismissed for his failure to provide the court with his current address. Plaintiff is cautioned that his failure to comply with this order will result in a Recommendation that his complaint be dismissed without prejudice.

Done this 19th day of July, 2005.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE